

**REMARKS**

The 22 May 2003 official action addressed claims 1-71. Claims 3-4, 15-16, 52-53 and 63-64 are canceled. Claims 1-2, 5-9, 13-14, 17-21, 47, 50-51, 57-58, 61-62 and 68-69 are amended. Claims 1-2, 5-14, 17-51, 54-62 and 65-71 are pending.

**1. Overview of amendments**Specification amendments

The specification is amended to supply the serial numbers of related applications that were not known at the time of filing of the present application. No new matter is added.

Claim amendments

Independent claims 1 and 13 are amended to clarify that closed caption data is produced from script data received from a production system used in the production of a video program, and that timing data is generated for each of the individual segments within the program.

Claims 2, 5-9, 14 and 17-21 are amended to be consistent with claims 1 and 13.

Claims 6 and 18 are amended to clarify that synchronization of closed caption timing data is provided with respect to the use of a teleprompter that displays text to be read by a person appearing in the video program as a reader of the text.

Independent claims 25 and 39 are amended in a manner similar to claims 6 and 18.

Claims 27-28 and 41-42 are amended to clarify that timing data are provided for multiple segments within a program.

Independent claim 47 is amended to clarify that closed caption data for a video includes timing data that indicates the beginnings of individual segments of the video program.

Independent claims 50 and 61 are amended in a manner similar to independent claims 1 and 13. Claims 51, 57-58, 62 and 67-68 are amended to be consistent with claims 50 and 61.

No new matter is added.

## **2. Response to objections and rejections**

### Claims 1-24

Claims 1-24 were rejected under 35 USC §102(b) as being anticipated by Henmi (U.S. 5,390,027). It is believed that these claims are distinguished from Henmi as explained below.

Claims 1-24 pertain to the process of creating the closed caption data that is transmitted to receivers of video programming events such as television viewers or that is used by viewing devices such as DVD players. In this process, script data is received from a production system that is used to produce the video program, and then identifiers for multiple segments within the video program are determined. Closed caption data is then produced from the script data, and the closed caption data includes timing data that indicates the beginning of each of the multiple segments within the program.

Henmi describes the operation of a video recording device such as a VCR. Henmi's device receives and uses text data that is transmitted during the vertical retrace interval of a television signal. The text data includes program table information comprising a list of program titles and their channels, times and dates of broadcast (e.g. col. 2, lines 53-54, col. 4, lines 39-43). The recording device allows a user to select a program to be recorded using the information in the program table.

The subject matter of claims 1-24 is different from that of Henmi in that claims 1-24 focus on the creation of closed caption data, whereas Henmi focuses on the use of text data at a receiving device. Further, claims 1-24 focus on providing timing data in closed caption data for each of multiple segments within the programs. Henmi only provides timing data for programs as a whole. The official action noted with respect to original claim 3 that the

timing data for a program could be considered timing data for a segment that starts at the beginning of the program. The claims have been revised to clarify that timing data is provided for each of multiple segments within the program, and so the distinction over Henmi is believed to be clearly established.

Claims 6 and 18 have also been amended to clarify that transmission of closed caption data is synchronized with a teleprompter that is used to display text that is read by a person appearing in the video program. This feature is also not found in Henmi.

Therefore claims 1-24 are believed to be allowable over Henmi.

Claims 50-71:

Claims 50-71 are similar to claims 1-24 and were also rejected as being anticipated by Henmi.

Claims 50-71 pertain to the process of creating a video signal such as for transmission to television viewers or for storage on storage media. The video signal includes timing data that indicates the beginning of each of multiple segments within the program. The individual segments are identified from production data that is received from a production system used in the production of the video program.

As discussed above, Henmi describes a recording device that receives and uses program tables contained in the vertical blanking interval of a television signal. Henmi does not identify individual segments of a program from production data used in the production of the video program, or provide any identifying information concerning the individual segments within a program. Therefore it is believed that claims 50-71 are now clearly distinguished from Henmi.

Claims 25-46:

Claims 25-35, 37, and 39-45 were rejected under 35 USC §102(e) as being anticipated by Van Thong (U.S. 6,442,518). Claims 36, 38, and 46 were rejected as being obvious over Van Thong. It is believed that these claims are distinguished from Van Thong for the reasons that follow.

Independent claims 25 and 39 pertain to a system in which the closed caption data of a video program is synchronized to the video based on the operation of a teleprompter. In these claims, as clarified by the amendments, the teleprompter is the device that is used to display text to a person who appears in the video as a reader of the text. For example, news broadcasters read their lines from teleprompters, and the displayed text is scrolled as it is read. In accordance with claims 25 and 39, closed caption text is synchronized to video in accordance with display of the text by the teleprompter to the person reading it. In this manner, the closed captioned text is aligned the corresponding audio as it is spoken.

Van Thong also describes a system that is used to align closed caption text with corresponding audio. In Van Thong the alignment is done through signal processing and speech recognition of the audio signal to identify the beginnings of words and phrases, which are then compared to the text data to determine the proper alignment. Van Thong does not synchronize the closed caption data to the video signal in accordance with display of corresponding text by the teleprompter system to the person reading in the video program. Therefore it is believed that independent claims 25 and 39 and their dependent claims are distinguished from Van Thong.

#### Claims 47-49

Claims 47-49 pertain to a stored video that includes closed caption data. The closed caption data includes timing data that indicates the beginning of each of multiple segments of the video program.


Claims 47-49 were rejected as being anticipated by Van Thong with reference to the disclosure in Van Thong of timing data that indicates when closed caption data should be displayed. The present claims are believed to be distinct from this aspect of Van Thong, since the claims specify timing data that indicates the beginnings of each of multiple segments within the program, whereas Van Thong teaches timing data that indicates the beginning and end of display of a particular line of text without any information as to whether that text belongs to a particular segment of the program, and therefore does not

indicate the beginning of a particular segment. Accordingly claims 47-49 are believed to be allowable over Van Thong.

The foregoing amendments and remarks address all bases for objection and rejection and are believed to place the case in condition for allowance. The examiner is invited to contact the undersigned to resolve any remaining issues.

Respectfully submitted,

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